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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/621,946	07/24/2000	Venkatachari Dilip	CE1-001US	5253
53186 7590 04/05/2007 COURTNEY STANIFORD & GREGORY LLP P.O. BOX 9686 SAN JOSE, CA 95157			EXAMINER	
			SUBRAMANIAN, NARAYANSWAMY	
			ART UNIT	PAPER NUMBER
			3692	
SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE		
3 MONTHS	04/05/2007	PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/621,946	DILIP ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Narayanswamy Subramanian	3692	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### **Status**

- 1) Responsive to communication(s) filed on 02 March 2007.
- 2a) This action is **FINAL**.                            2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### **Disposition of Claims**

- 4) Claim(s) 59-67 and 78-83 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 59-67 and 78-83 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### **Application Papers**

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### **Priority under 35 U.S.C. § 119**

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### **Attachment(s)**

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO/SB/08)  
 Paper No(s)/Mail Date 11/29/06.
- 4) Interview Summary (PTO-413)  
 Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) Notice of Informal Patent Application
- 6) Other: \_\_\_\_\_.

## **DETAILED ACTION**

1. This office action is in response to applicants' request for continued examination filed on March 2, 2007. Amendments to claims 59-60 and 64-65, cancellation of claim 71 and addition of new claim 83 have been entered. Rejections made under 35 USC 112, first paragraph in the last office action are withdrawn in view of the amendments. Claims 59-67 and 78-83 are currently pending and have been examined. The rejections and response to arguments are stated below.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 59-67 and 78-83 are rejected under 35 U.S.C. 103(a) as being unpatentable over Grant et al (US Patent 4,694,397)

Claims 59 and 83, Grant teaches a method and a computer-readable medium having stored thereon a computer program that is executable by a processor to perform a method comprising: a processor-based financial management system identifying a first account balance associated with a first account, wherein the first account is associated with a first financial institution, first financial-institution, and wherein the financial management system is coupled via a network to the first financial institution (See Grant Abstract, Col 3 lines 16-41 and Col 4 lines 15-26); the financial management system further identifying a second account balance associated with a second account, wherein the second account is associated with a second

financial institution, the second financial institution being independent of the first financial institution, and wherein the financial management system is coupled to the second financial institution via the network (See Grant Abstract, Col 3 lines 16-41 and Col 5 line 35 – Col 6 line 10); obtaining account information from the first and second accounts using access information provided by an account holder, comprising accessing each of the first and second financial institutions separately via the network (See Grant Figure 1, Abstract, Col 4 lines 5-25 and Col 5 line 35 – Col 6 line 10); the financial management system comparing the first account balance to a particular value; if the first account balance exceeds the particular value, the financial management system recommending a transfer of funds from the first account to the second account associated with the second financial institution, wherein the first account and the second account have a common account holder, and wherein the recommendation to transfer funds identifies an amount to be transferred equal to the value by which the first account balance exceeds the particular value; and if the first account balance is below the particular value, the financial management system recommending a transfer of funds from the second account to the first account (See Grant Figure 1, Abstract, Col 2 lines 25-43). A computer-readable medium having stored thereon a computer program that is executable by a processor to perform the method is inherent in the disclosure.

Claims 60-67 and 78-82, Grant teaches the steps wherein obtaining account information and comparing the first account balance to a particular value is performed at periodic intervals (See Grant Col 3 lines 42-52); comparing the first account balance to a particular value includes applying at least one rule associated with the first account (See Grant Col 2 lines 25-43); the first account is a checking account and the second account is a savings account (banking accounts

imply these accounts); the second account pays a higher interest rate than the first account (old and well known); if the first account balance is below the particular value, the financial management system recommending a transfer of funds from the second account to the first account in an amount equal to the value by which the first account balance is below the particular value (See Grant Col 2 lines 25-43); offering to the account holder to perform the recommended transfer of funds from the first account to the second account (See Grant Col 4 lines 45-52, special handling is interpreted to include this feature); executing the transfer of funds from the first account to the second account if the account holder accepts the offer to perform the recommended transfer of funds (old and well known); recommending a transfer of funds from the first account to the second account includes automatically transferring funds from the first account to the second account (See Grant Col 6 lines 40-48); the first account is a checking account and the second account is an investment account (inherent, banking account is a checking account and brokerage account is an investment account); the second account offers a better return than the first account (old and well known); the particular value is a minimum balance associated with the first account (See Grant Col 2 lines 25-43); the particular value is a minimum required balance based on historical data (Old and well known); permitting the account holder to change the amount to be transferred from the first account to the second account (See Grant Col 4 lines 45-52, special handling is interpreted to include this feature).

***Response to Arguments***

4. Applicant's arguments with respect to pending claims have been considered but are moot in view of the new ground(s) of rejection.

### **Conclusion**

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dr. Narayanswamy Subramanian whose telephone number is (571) 272-6751. The examiner can normally be reached Monday-Thursday from 8:30 AM to 7:00 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Chilcot can be reached at (571) 272-6777. The fax number for Formal or Official faxes and Draft to the Patent Office is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PMR or Public PAIR. Status information for unpublished applications is available through Private PMR only. For more information about the PMR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Dr. N. Subramanian  
Primary Examiner  
Art Unit 3692

March 31, 2007